

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

UNITED STATES OF AMERICA, : CASE NO. 3:16 CR 148
Plaintiff, :
v. : **PROTECTIVE ORDER**
NICHOLAS GAY, :
Defendant. :

Pursuant to Federal Rule of Criminal Procedure 16(d)(1), the Court hereby grants this Motion of the United States for entry of a Protective Order, prescribing the manner in which Defendant, **NICHOLAS GAY**, and his defense counsel must handle certain materials – namely:

**CD containing audio recordings and videos involving a confidential informant.
(Item 1 of the discovery letter dated December 12, 2016) (hereinafter “the Discovery
Materials”)**

THE COURT ORDERS:

1. Defendant and his defense counsel will not disclose the Discovery Materials directly or indirectly to any person except: attorneys and investigators who are assisting in the defense; staff working for defense counsel, and potential experts (“Authorized Individuals”). Upon disclosing the Discovery Materials to an Authorized Individual, defense counsel will advise the Authorized Individual that he or she will be subject to the same obligations as imposed upon defense counsel and Defendant by the Protective Order.

2. To the extent defense counsel needs to copy the Discovery Materials, the copies, reproductions, or mirror images should be treated in the same manner as the original Discovery Materials.


3. Although defense counsel may permit Defendant to review the Discovery Materials, Defendant may not take possession of the Discovery Materials or copies, reproductions, or mirror images of the Discovery Materials. Further, defense counsel will advise Defendant about the Protective Order.

4. Defense counsel and Defendant may use the Discovery Materials solely in the defense of this case and for no other purpose.

5. At the conclusion of this case, defense counsel shall return the Discovery Materials and copies, reproductions, or mirror images thereof to the United States Attorney's Office.

6. Nothing contained in the Protective Order will preclude any party from applying to the Court for further relief or for modification of any provision hereof.

12-13-16
DATE



HONORABLE WALTER H. RICE
UNITED STATES DISTRICT COURT JUDGE